Amendment and Response
Applicant: Naresh Anant Apte
Serial No.: 09/901,518
Filed: July 9, 2001
Docket No.: 10005654-1 (H302.146.101)
Title: METHOD AND SYSTEM FOR TEMPORARY NETWORK IDENTITY

REMARKS

The following remarks are made in response to the Office Action mailed November 5, 2004. Claim 8 has been cancelled. Claims 1-32 were rejected. With this Response, claims 1-7, 9, 12-17, 20-27, and 29-31 have been amended. Claims 1-7 and 9-32 remain pending in the application and are presented for reconsideration and allowance.

Claim Rejections under 35 U.S.C. § 103

In the Office Action, claims 1-32 were rejected under 35 U.S.C. §103 as being unpatentable over Gabber et al. 5,961,593 (Gabber) in view of Spacey U.S. Publication No. 20020129279A1 (Spacey) or Micali U.S. Patent No. 6,137,884 (Micali).

Applicant's amended independent claim 1 is patentable over Gabber, Spacey and/or Micali. Neither Gabber nor Spacey disclose **a method for network communications comprising assigning a first temporary fictitious identity from an identity intermediary to a service provider and performing a transaction between the user interface and the service provider using the first temporary fictitious identity,** as claimed by Applicant.

Instead, Gabber discloses providing a substitute identifier <u>for a user (Gabber at Column 5, lines 17-27),</u> but does not provide a temporary fictitious identity for a server site, such as service provider (which may or may not already be a well known entity), as claimed by Applicant. Spacey or Micali fails to cure the deficiencies of Gabber. Spacey is directed to preventing logging by Internet servers, providers, routers of users/clients for the protection of clients/users (Spacey at Paragraphs 9-12) and is not directed to the protection of service providers. Micali is directed to making a transaction simultaneous but not to assigning a first temporary fictitious identity to a service provider (as opposed to a user). Accordingly, one could not combine Gabber in view of Spacey or Micali and arrive at the invention of amended independent claim 1.

For these reasons, neither Gabber, Spacey nor Micali, alone or in combination, teach or suggest Applicant's independent claim 1. Accordingly, Applicant's believe that independent claim 1 is allowable over Gabber, Spacey and/or Micali. Claims 2-6 are believed to be allowable based on their dependency from independent claim 1.

For substantially the same reasons as presented for patentability of claim 1, Gabber and Spacey (or Micali) fail to disclose Applicant's amended independent claim 24 which is

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directed to a computer readable medium having computer-executable instructions for performing a method of facilitating network communications -- the method including substantially the same limitations as claim 1. For these reasons, Gabber and Spacey (or Micali) fail to teach or suggest amended independent claim 24, and therefore Applicant's amended independent claim 24 is patentable and allowable over Gabber and Spacey (or Macali). Claims 25-26 are believed to be allowable as well based on their dependency from claim 24.

Applicant's amended independent claim 7 is patentable over Gabber, Spacey and/or Micali. In particular, neither Gabber nor Spacey disclose a method for network communications comprising, among other things, obtaining the temporary fictitious identity for the service provider includes assigning, via the identity intermediary, the temporary network identity to include a business component (associated with a real business name), a financial component (associated with a real financial identity), and a location component (at least one of a physical street address and a real IP address), as claimed by Applicant.

Instead, Gabber discloses providing a substitute identifier <u>for a user (Gabber at Column 5, lines 17-27) and</u>, but does not provide a temporary fictitious identity for a service provider, including a business component, financial component, and a location component, as claimed by Applicant. Spacey or Micali fails to cure the deficiencies of Gabber. Spacey is directed to preventing logging by Internet servers, providers, routers of users/clients for the protection of clients/users (Spacey at Paragraphs 9-12) and is not directed to the protection of service providers. Micali is directed to making a transaction simultaneous but does not address specific aspects of personal, financial, and location components of a temporary fictitious identity for a service provider. Accordingly, one could not combine Gabber in view of Spacey or Micali and arrive at the invention of amended independent claim 7.

For these reasons, neither Gabber, Spacey nor Micali, alone or in combination, teach or suggest Applicant's independent claim 7. Accordingly, Applicant's believe that independent claim 7 is allowable over Gabber, Spacey and/or Micali. Claim 9 is believed to be allowable based on its dependency from independent claim 7.

For substantially the same reasons as presented for patentability of claim 7, Gabber and Spacey (or Micali) fail to disclose Applicant's amended independent claim 27 which is directed to a computer readable medium having computer-executable instructions for

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performing a method of network communications -- the method including substantially the same limitations as claim 7. For these reasons, Gabber and Spacey (or Micali) fail to teach or suggest amended independent claim 27, and therefore Applicant's amended independent claim 27 is patentable and allowable over Gabber and Spacey (or Micali).

Applicant's independent claim 10 is patentable over Gabber, Spacey and/or Micali. In particular, neither Gabber nor Spacey disclose a method of network communications comprising, among other things, **contacting a service provider with a user interface and then contacting an identity intermediary** with the user interface to obtain a temporary network identity for the user interface, and performing a transaction between the user interface and the service provider using the temporary network identity of the user interface to conceal a real identity of a consumer using the user interface, as claimed by Applicant.

This method enables normal web browsing at service providers, but then provides a temporary identity only when further information from the user interface would be required, such as a real name, street address, etc. Accordingly, a user is revealing some information during browsing via their browser, but then can choose to remain relatively anonymous for a specific transaction that requires further personal information.

Instead, Gabber discloses providing a substitute identifier for a user (Gabber at Column 5, lines 17-27), but does not include contacting a service provider (from which retail services would be obtained) before contacting the identity intermediary, as claimed by Applicant. Spacey or Micali fails to cure the deficiencies of Gabber. Spacey is directed to preventing logging by Internet servers, providers, routers of users/clients for the protection of clients/users (Spacey at Paragraphs 9-12) to maintain their anonymity, and therefore is not directed allowing contact of the service provider prior to contacting the identity intermediary. Micali is directed to making a transaction simultaneous but not obtaining a temporary fictitious identity after contacting a service provider, as claimed by Applicant. Accordingly, one could not combine Gabber in view of Spacey or Micali and arrive at the invention of amended independent claim 10.

For these reasons, neither Gabber, Spacey nor Micali, alone or in combination, teach or suggest Applicant's independent claim 10. Accordingly, Applicant's believe that independent claim 1 is allowable over Gabber, Spacey and/or Micali. Claim 11 is believed to be allowable based on its dependency from independent claim 10.

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For substantially the same reasons as presented for patentability of claim 10, Gabber and Spacey (or Micali) fail to disclose Applicant's amended independent claim 28 which is directed to a computer readable medium having computer-executable instructions for performing a method of network communications -- the method including substantially the same limitations as claim 10. For these reasons, Gabber and Spacey (or Micali) fail to teach or suggest amended independent claim 28, and therefore Applicant's amended independent claim 28 is patentable and allowable over Gabber and Spacey (or Micali).

Applicant's amended independent claim 12 is patentable over Gabber, Spacey and/or Micali. In particular, neither Gabber nor Spacey disclose a method for providing pseudononymous network identities comprising, among other things, randomly generating a first temporary fictitious identity <u>for a first service provider,</u> and maintaining a database of a plurality of temporary fictitious identities, including the first temporary fictitious identity, <u>with each temporary fictitious identity being associated with a uniquely identified service provider</u>, including the first service provider.

Instead, Gabber discloses providing a substitute identifier <u>for a user (Gabber at Column 5, lines 17-27)</u>, but does not provide a temporary fictitious identity for a server site, such as service provider (which may or may not already be a well known entity), as claimed by Applicant. Spacey or Micali fails to cure the deficiencies of Gabber. Spacey is directed to preventing logging by Internet servers, providers, routers of users/clients for the protection of clients/users (Spacey at Paragraphs 9-12) and is not directed to the protection of service providers. Micali is directed to making a transaction simultaneous but not to assigning a first temporary fictitious identity to a service provider (as opposed to a user). Accordingly, one could not combine Gabber in view of Spacey or Micali and arrive at the invention of amended independent claim 12.

For these reasons, neither Gabber, Spacey nor Micali, alone or in combination, teach or suggest Applicant's independent claim 12. Accordingly, Applicant's believe that independent claim 12 is allowable over Gabber, Spacey and/or Micali. Claims 13-14 are believed to be allowable based on their dependency from independent claim 12.

For substantially the same reasons as presented for patentability of claim 12, Gabber and Spacey (or Micali) fail to disclose Applicant's amended independent claim 29 which is directed to a computer readable medium having computer-executable instructions for

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performing a method of network communications -- the method including substantially the same limitations as claim 12. For these reasons, Gabber and Spacey (or Micali) fail to teach or suggest amended independent claim 29, and therefore Applicant's amended independent claim 29 is patentable and allowable over Gabber and Spacey (or Micali).

Applicant's amended independent claim 15 is patentable over Gabber, Spacey and/or Micali. In particular, neither Gabber nor Spacey disclose a network identity intermediary comprising, among other things, a database configured for maintaining at least one temporary pseudonymous identity in association with a real identity of the a service provider, that is assigned upon a request by the service provider

Instead, Gabber discloses providing a substitute identifier for a user (Gabber at Column 5, lines 17-27), but does not provide a temporary pseudonymous identity for a server site, such as service provider (which may or may not already be a well known entity), as claimed by Applicant. Spacey or Micali fails to cure the deficiencies of Gabber. Spacey is directed to preventing logging by Internet servers, providers, routers of users/clients for the protection of clients/users (Spacey at Paragraphs 9-12) and is not directed to the protection of service providers. Micali is directed to making a transaction simultaneous but not to assign a temporary pseudonymous identifier to a service provider (as opposed to a user). Accordingly, one could not combine Gabber in view of Spacey or Micali and arrive at the invention of amended independent claim 15.

For these reasons, neither Gabber, Spacey nor Micali, alone or in combination, teach or suggest Applicant's independent claim 15. Accordingly, Applicant's believe that independent claim 15 is allowable over Gabber, Spacey and/or Micali.

For substantially the same reasons as presented for patentability of claim 15, Gabber and Spacey (or Micali) fail to disclose Applicant's amended independent claim 30 which is directed to a computer readable medium having computer-executable instructions for performing a network identity intermediary -- the method including substantially the same limitations as claim 15. For these reasons, Gabber and Spacey (or Micali) fail to teach or suggest amended independent claim 30, and therefore Applicant's amended independent claim 30 is patentable and allowable over Gabber and Spacey (or Micali).

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Applicant's amended independent claim 16 is patentable over Gabber, Spacey and/or Micali. In particular, neither Gabber nor Spacey disclose a method for temporary network identity comprising, among other things, a unique pseudonymous identifier temporarily associated with a service provider, and an identifier source name associated with the pseudonymous identifier for identifying the source that generated the unique pseudonymous identifier

Instead, Gabber discloses providing a substitute identifier for a user (Gabber at Column 5, lines 17-27), but does not provide a unique pseudonymous identifier for a server site, such as service provider (which may or may not already be a well known entity), as claimed by Applicant. Spacey or Micali fails to cure the deficiencies of Gabber. Spacey is directed to preventing logging by Internet servers, providers, routers of users/clients for the protection of clients/users (Spacey at Paragraphs 9-12) and is not directed to the protection of service providers. Micali is directed to making a transaction simultaneous but not to assigning a unique pseudonymous identifier for a service provider (as opposed to a user). Accordingly, one could not combine Gabber in view of Spacey or Micali and arrive at the invention of amended independent claim 16.

For these reasons, neither Gabber, Spacey nor Micali, alone or in combination, teach or suggest Applicant's independent claim 16. Accordingly, Applicant's believe that independent claim 16 is allowable over Gabber, Spacey and/or Micali. Dependent claim 17 is believed to be allowable based on its dependency from independent claim 16.

For substantially the same reasons as presented for patentability of claim 16, Gabber and Spacey (or Micali) fail to disclose Applicant's amended independent claim 31 which is directed to a computer readable medium having computer-executable instructions for performing a method of providing temporary network identities -- the method including substantially the same limitations as claim 16. For these reasons, Gabber and Spacey (or Micali) fail to teach or suggest amended independent claim 31, and therefore Applicant's amended independent claim 31 is patentable and allowable over Gabber and Spacey (or Micali).

Applicant's amended independent claim 18 is patentable over Gabber, Spacey and/or Micali. In particular, neither Gabber nor Spacey disclose a network identity intermediary

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database comprising, among other things, an array of unique pseudonymous identifiers, and an array of real identities of consumers and service providers including at least one of financial information, personal information, and location information, with each one of the real identities being exclusively associated with only one of the unique pseudonymous identifiers.

Instead, Gabber discloses providing a substitute identifier for a user (Gabber at Column 5, lines 17-27), but does not provide an array of pseudonymous identifiers, associated with an array of real identities for service providers (and consumers), as claimed by Applicant. Spacey or Micali fails to cure the deficiencies of Gabber. Spacey is directed to preventing logging by Internet servers, providers, routers of users/clients for the protection of clients/users (Spacey at Paragraphs 9-12) and is not directed to the protection of service providers. Micali is directed to making a transaction simultaneous but not to provding an array of pseudonymous identifiers for a service provider (in addition to user interfaces). Accordingly, one could not combine Gabber in view of Spacey or Micali and arrive at the invention of amended independent claim 18.

For these reasons, neither Gabber, Spacey nor Micali, alone or in combination, teach or suggest Applicant's independent claim 18. Accordingly, Applicant's believe that independent claim 18 is allowable over Gabber, Spacey and/or Micali.

For substantially the same reasons as presented for patentability of claim 18, Gabber and Spacey (or Micali) fail to disclose Applicant's amended independent claim 32 which is directed to a computer readable medium having computer-executable instructions for performing a method of providing a network identity intermediary database - - the method including substantially the same limitations as claim 18. For these reasons, Gabber and Spacey (or Micali) fail to teach or suggest amended independent claim 32, and therefore Applicant's amended independent claim 32 is patentable and allowable over Gabber and Spacey (or Micali).

Applicant's amended independent claim 20 is patentable over Gabber, Spacey and/or Micali. In particular, neither Gabber nor Spacey disclose a method for network communications comprising, among other things, contacting an identity intermediary with a user interface, after an initial contact between the user interface and a service provider, to obtain a first temporary network identity for the user interface, and contacting service

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provider with the first temporary network identity of the user interface to receive services pseudonymously from the service provider.

Instead, Gabber discloses providing a substitute identifier for a user (Gabber at Column 5, lines 17-27), prior to the user attempting to contact a server site to maintain anonymity of the user, but does not provide a contacting a service provider prior to contacting an identity intermediary for a first temporary network identity, as claimed by Applicant. Spacey or Micali fails to cure the deficiencies of Gabber. Spacey is directed to preventing logging by Internet servers, providers, routers of users/clients for the anonymous protection of clients/users (Spacey at Paragraphs 9-12) and is not directed to pseudonymous protection of users after a first contact with a service provider. Micali is directed to making a transaction simultaneous but not to pseudonymous protections after intial contacts with service providers. Accordingly, one could not combine Gabber in view of Spacey or Micali and arrive at the invention of amended independent claim 20.

For these reasons, neither Gabber, Spacey nor Micali, alone or in combination, teach or suggest Applicant's independent claim 20. Accordingly, Applicant's believe that independent claim 20 is allowable over Gabber, Spacey and/or Micali.

Applicant's amended independent claim 21 is patentable over Gabber, Spacey and/or Micali. In particular, neither Gabber nor Spacey disclose a method for pseudonymous network communication comprising, among other things, creating a temporary fictitious identity for each of a service provider and a user interface for pseudonymously performing a transaction between the user interface and the service provider using the temporary fictitious identity.

Instead, Gabber discloses providing a substitute identifier for a user (Gabber at Column 5, lines 17-27), but does not provide a temporary fictitious identity for a server site, such as service provider, to enable performing a pseudonymous transaction between the user interface and the service provider, as claimed by Applicant. Spacey or Micali fails to cure the deficiencies of Gabber. Spacey is directed to preventing logging by Internet servers, providers, routers of users/clients for the protection of clients/users (Spacey at Paragraphs 9-12) and is not directed to the protection of service providers. Micali is directed to making a transaction simultaneous but not to assigning temporary fictitious identities to user interfaces

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and a service provider. Accordingly, one could not combine Gabber in view of Spacey or Micali and arrive at the invention of amended independent claim 21.

For these reasons, neither Gabber, Spacey nor Micali, alone or in combination, teach or suggest Applicant's independent claim 21. Accordingly, Applicant's believe that independent claim 21 is allowable over Gabber, Spacey and/or Micali.

Applicant's amended independent claim 22 is patentable over Gabber, Spacey and/or Micali. In particular, neither Gabber nor Spacey disclose a network identity intermediary database comprising, among other things, an array of unique pseudonymous identifiers being configured so that each identifier will be associated exclusively with a real identity of each consumer of a plurality of consumers and each first service provider of a plurality of service providers.

Instead, Gabber discloses providing a substitute identifier for a user (Gabber at Column 5, lines 17-27), but does not provide an array of pseudonymous identifiers including such identifiers for service providers, as claimed by Applicant. Spacey or Micali fails to cure the deficiencies of Gabber. Spacey is directed to preventing logging by Internet servers, providers, routers of users/clients for the protection of clients/users (Spacey at Paragraphs 9-12) and is not directed to the protection of service providers. Micali is directed to making a transaction simultaneous but not to creating an array of pseudonymous identifiers, including identifiers for service providers (as opposed to a user). Accordingly, one could not combine Gabber in view of Spacey or Micali and arrive at the invention of amended independent claim 22.

For these reasons, neither Gabber, Spacey nor Micali, alone or in combination, teach or suggest Applicant's independent claim 22. Accordingly, Applicant's believe that independent claim 22 is allowable over Gabber, Spacey and/or Micali.

Applicant's amended independent claim 23 is patentable over Gabber, Spacey and/or Micali. In particular, neither Gabber nor Spacey disclose a pseudonymous network identity system comprising, among other things, a network identity intermediary configured for communicating with a user interface and a service provider and configured for assigning a different temporary pseudonymous identity to each of a user interface and service provider,

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and a **database** <u>configured for maintaining at least one different temporary pseudonymous</u> identity in association with a real identity of each of a user interface <u>and a service provider.</u>

Instead, Gabber discloses providing a substitute identifier <u>for a user (Gabber at Column 5, lines 17-27),</u> but does not provide different pseudonymous identities for each of a user interface and a service provider, as claimed by Applicant. Spacey or Micali fails to cure the deficiencies of Gabber. Spacey is directed to preventing logging by Internet servers, providers, routers of users/clients for the protection of clients/users (Spacey at Paragraphs 9-12) and is not directed to the protection of service providers. Micali is directed to making a transaction simultaneous but not to assigning a pseudonymous identity to a service provider (as opposed to a user). Accordingly, one could not combine Gabber in view of Spacey or Micali and arrive at the invention of amended independent claim 23.

For these reasons, neither Gabber, Spacey nor Micali, alone or in combination, teach or suggest Applicant's independent claim 23. Accordingly, Applicant's believe that independent claim 23 is allowable over Gabber, Spacey and/or Micali.

Accordingly, Applicant respectfully requests that the above 35 U.S.C. § 103 rejection to claims 1-7 and 9-32 based on Gabber, Spacey, and Micali be reconsidered and withdrawn, and that these claims be allowed.

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CONCLUSION

In view of the above, Applicant respectfully submits that pending claims 1-7 and 9-32 are in form for allowance and are not taught or suggested by the cited references. Therefore, reconsideration and withdrawal of the rejections and allowance of claims 1-7 and 9-32 is respectfully requested.

No fees are required under 37 C.F.R. 1.16(b)(c). However, if such fees are required, the Patent Office is hereby authorized to charge Deposit Account No. 08-2025.

The Examiner is invited to contact the Applicant's representative at the below-listed telephone numbers to facilitate prosecution of this application.

Any inquiry regarding this Amendment and Response should be directed to either Robert Sismilich at Telephone No. (858) 655-8329, Facsimile No. (858) 655-5859 or Paul S. Grunzweig at Telephone No. (612) 767-2504, Facsimile No. (612) 573-2005. In addition, all correspondence should continue to be directed to the following address:

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Intellectual Property Administration
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Respectfully submitted,

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